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BOARD OF MASSAGE
AND BODYWORK THERAPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE
LICENSE OF

FREDERICK W. CALLIS
License # 18KT00049400

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Massage and Bodywork Therapy ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed massage and bodywork therapist in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent was arrested on September 15, 2014 for possession of marijuana and "molly rocks." Respondent was found guilty of failing to give a controlled dangerous substance to police and sentenced to one year probation, with an assessment of \$713.
3. Respondent was arrested on February 5, 2006 on burglary-related charges. He was convicted of improper behavior and assessed \$405. Respondent was

also arrested on drug-related charges in 2009. He was admitted into a diversionary program, and charges were dismissed. (Exhibit B) In a submission to the Board prior to licensure, respondent admitted to two arrests, in 2005 and 2008, on DUI charges.

4. On or about March 30, 2015, respondent was asked to provide the Board with documentation that he was in compliance with the terms of his criminal probation, and asking for verification that he was attending drug counseling. This request was sent to respondent at his address of record by certified and regular mail. The certified mailing was signed for. (Exhibit C) The regular mailing was not returned. No response has been received to date.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the March 30, 2015 inquiry on behalf of the Board constitutes a failure to cooperate with a Board investigation within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

2. Respondent's conviction on drug-related charges, and his prior history of DUI convictions and a 2009 drug-related arrest warrants requiring respondent, as a condition of continued licensure, to undergo evaluation and monitoring to demonstrate that his continued practice of massage and bodywork therapy does not jeopardize the safety and welfare of the public within the intendment of N.J.S.A. 45:1-22(f).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 23, 2015, provisionally suspending Mr. Callis's license, and imposing a \$200 civil penalty.. A copy of the Order was served upon respondent at his address of record by certified and regular mail. The Provisional Order was subject to

finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

Mr. Callis responded to the Provisional Order. He has provided documentation, indicating that as of August 5, 2015, he was in compliance with the terms of his probation, and as of August 3, 2015, his progress report indicated that he had been participating in an intensive outpatient program. However, the Board noted that respondent had not enrolled in the Professional Assistance Program of New Jersey. The Board determined that respondent's partial response demonstrated good will on respondent's part, and was reluctant to impose active suspension. However, the information furnished depicted respondent's behavior in August of 2015, and it was necessary to ascertain whether respondent's attempt to comply with the conditions of his probation was ongoing. With respect to the monetary penalty, the Board determined that Mr. Callis's failure to respond to the Board's inquiry warranted such sanctions.

... ACCORDINGLY, IT IS on this 22nd day of February, 2016,
ORDERED that:

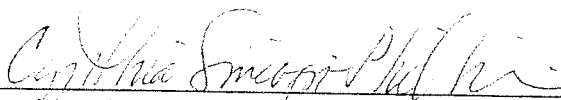
1. Respondent's New Jersey license to practice massage and bodywork therapy is hereby provisionally suspended, with the suspension to be stayed and served as a period of probation. Within thirty (30) days of respondent's receipt of this order,

respondent shall provide the Board updated (recent) documentation of his compliance with probation, and of his participation in drug counseling. Respondent shall then provide the Board with updates on a monthly basis, until his court-ordered counseling has been terminated, and until he is released from criminal probation. This documentation shall be sent to the attention of Laura Anderson, Executive Director, Board of Massage and Bodywork Therapy, P.O. Box 45048, 124 Halsey Street, 6th Floor, Newark, NJ 07101.

2. A civil penalty in the amount of \$200.00 is hereby imposed on respondent for the violation of N.J.A.C. 13:45C-1.2, -1.3. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and sent to the attention of Laura Anderson, Executive Director, at the address specified in paragraph #1 above. Payment shall be due within thirty (30) days of the filing of this order.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Cynthia Sinicropi-Philibosian, LMBT
Board Chairperson